

FILED
CLERK, U.S. DISTRICT COURT

AUG - 6th 2001

CENTRAL DISTRICT OF CALIFORNIA
BY *PJP* DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CENTRAL DISTRICT OF CALIFORNIA
 ENTERED
 CLERK, U.S. DISTRICT COURT
 ENTERED
 AUG - 7 2001
 CV 06
 CENTRAL DISTRICT OF CALIFORNIA
 BY
 Plaintiff
 ORDER

Plaintiff,) ~~ORDER GRANTING REQUEST FOR ENTRY~~
) OF PARTIAL JUDGMENT PURSUANT TO
) RULE 54(b)

Defendants.

THIS CONSTITUTES NOTICE OF ENTRY
AS REQUIRED BY FRCP, RULE 77(d).

Summary judgment was granted with respect to defendant Mosler on March 21, 2001. Mosler subsequently moved for partial judgment.

A district court may enter partial judgment under Federal Rule of Civil Procedure 54(b). In order to enter a partial judgment, the Court must have fully determined the rights and liabilities of one or more parties must or one claim must have been fully decided. Fed. R. Civ. Proc. 54(b). This Court has determined that Mosler is not liable on any of the causes of action in the complaint; appeal of the judgment regarding this claim will not conflict with issues yet to be decided in the district court. See generally Morrison-Knudsen, Inc. v. Archer, 655 F.2d 962,965 (9th Cir. 1981).

The next question is whether or not there is just reason for an entry of the judgment. There is no precise test for making termination, but a district court should look to the similar factors in the case that bear on the overall purpose of

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1 Rule 54(b). See id. Here the practical effect an appeals decision
2 would have of simplifying the further district court proceedings is
3 significant. See Alcan Aluminum Corp. v. Carlsberg Financial Corp.,
4 689 F.2d 815, 817 (9th Cir. 1982); Curtiss-Wright Corp. v. General
5 Electric Co., 466 U.S. 1 (1980).

6 Defendant Cremers has already noticed the appeal of several
7 of this Court's rulings. Since the case must be stayed pending
8 appeal, judicial economy is best served by entry of partial judgment
9 with respect to Defendant Mosler and allowing any appeals on this
10 Court's rulings concerning Mosler also to proceed at this time.

11 Accordingly, Mosler's request for partial judgment is
12 GRANTED. The Court hereby enters judgment in favor of Defendant
13 Mosler.

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15 IT IS SO ORDERED.

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17 DATED: 8/6/2011

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19 STEPHEN V. WILSON

20 UNITED STATES DISTRICT JUDGE
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